



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/510,919	02/22/2000	Paul Owen Livesay	1125-2	2726

7590

03/10/2004

Ryan & Mason, LLP
Attorneys at Law
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

ADAMS, JONATHAN R

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 03/10/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/510,919

Applicant(s)

LIVESAY, PAUL OWEN

Examiner

Jonathan R Adams

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/22/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-29 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 5 objected to because of the following informalities: The use of the "alias profile characteristic" as listed in claim 5 provides no further limitation to the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-9, 11-14, 19-21, and 25-29 rejected under 35 U.S.C. 102(b) as being unpatentable by Gabber et al., US Patent No. 5961593 (hereafter referred to as '593).

1. As to claim 1, 28, and 29, '593 teaches a method for providing anonymous personalized browsing including transactions comprising:
 - a. Intermediary machine / Proxy system (Col. 5, Line 10,'593)
 - b. Association between real identity and corresponding alias identity /
Substitute identifiers (Col. 6, Line 60,'593)

- c. Supply portion of alias identity information / Provides the appropriate secure identifiers automatically (Col. 7, Line 10,'593)
 - d. Provide intermediary payment authorization / Central proxy system provides its own valid credit card number (Col. 12, Line 67,'593)
- 2. As to claim 2:
 - a. All communications are directed though the intermediary machine (Fig 2, elements 105a/110a,'593)
- 3. As to claim 3:
 - a. Portion of information supplied with request of user / User to allow one or more substitute identifiers to be chosen (Col. 8, Line 33,'593)
- 4. As to claim 4:
 - a. Real identity information... user name / User identification (Col. 6, Line 48,'593)
 - b. Real identity information... user electronic address / E-mail address (Col. 6, Line 48,'593)
 - c. Real identity information... user shipping address / Postal address (Col. 6, Line 48,'593)
 - d. Real identity information...user payment card number / Credit card numbers (Col. 6, Line 48,'593)
- 5. As to claim 5:
 - a. Alias identity information... user alias / Alias user name (Col. 6, Line 66,'593)

- b. Alias identity information... alias electronic address / alias email address
(Col. 6, Line 66,'593)

6. As to claim 7:

- a. Payment authorization information... Identifier of an account / Account numbers (Col. 12, Line 53,'593)

7. As to claim 8:

- a. Plurality of payment card numbers / Credit card numbers (Col. 6, Line 65 et seq., '593)
- b. '593 teaches a method for providing anonymous transactions using credit cards. Not specifically taught is having differing expirations dates for different credit cards. This is deemed to be inherent to the invention disclosed in '593 because when credit cards are issued they are given an expiration date unique to the time they were issued.

8. As to claim 9:

- a. '593 teaches a method for providing anonymous transactions using credit cards with corresponding expiration dates. It is deemed to be inherent that the credit cards should expire on their given expiration date.

9. As to claim 11:

- a. Corresponding credit clearing infrastructure / Central proxy system may be known and trusted by other sites ... authenticate alias credit card number (Col. 13, Line 5,'593)

10. As to claim 12:

- a. Web site operator aggregates billing and periodically bills the intermediary / the site can check if alias credit card number originates from central proxy system and collect money from the central proxy system (Col. 13, Line 9,'593)

11.As to claim 13:

- a. Intermediary machine supplies alias destination address / Postal address (Col. 12, Line 53,'593)

12.As to claim 14:

- a. Alias destination address is third party destination in sufficient proximity to real destination address / Post office address (Col. 8, Line 33,'593)

13.As to claim 19:

- a. Alias destination address comprises electronic destination address / alias email address (Col. 6, Line 66,'593)

14.As to claim 20:

- a. Downloadable material is redirected by the intermediary machine to a user machine / Central proxy system capable of containing email destined for the users (Col. 12, Line 7,'593)

15.As to claim 21:

- a. Downloadable material is stored in a storage device associated with intermediary machine / Central proxy system includes a data store capable of containing email (Col. 12, Line 7,'593)

16.As to claims 25, 26, and 27:

- a. Intermediary machine associated with...Internet service provider / ISP can employ proxy system (Col. 6, Line 52,'593)
- b. Intermediary machine associated with...web portal / ISP can employ proxy system (Col. 6, Line 52,'593)
- c. Intermediary machine associated with...particular web site operator / Networking service can employ proxy system (Col. 6, Line 53, '593)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 6, 22-24 rejected under 35 U.S.C. 103(a) as being unpatentable over '593.
2. As to claim 6, '593 teaches a method for providing anonymous personalized browsing including transactions comprising the method of claim 1, and further comprising:
 - a. Payment authorization information... payment card number / Credit card numbers (Col. 12, Line 52,'593)
 - b. Not specifically mentioned is for Payment authorization information to include Authorization to charge amount. The examiner takes official notice as to include an authorization to charge an amount to account corresponding to the

method of payment. It would have been obvious to a person of ordinary skill in the art at the time of invention to include an authorization to charge an amount to account corresponding to the method of payment. One of ordinary skill in the art would have been motivated to include an authorization to charge an amount to account corresponding to the method of payment, because this is the convention credit card transactions follow, including online credit card transactions.

3. As to claims 22-24:

4. '593 teaches a method for providing anonymous personalized browsing via a proxy system to be associated with an Internet service provider/Web portal/web site operator (Col. 6, Line 52,'593). '593 does not specifically teach associating the proxy system with a payment card issuing institution, merchant bank, or clearing network operator. The examiner takes official notice as to associating the proxy system with payment card issuing institution, merchant bank, or clearing network operator. It would have been obvious to a person of ordinary skill in the art at the time of invention to associate the proxy system with a payment card issuing institution, merchant bank, or clearing network operator. One of ordinary skill in the art would have been motivated to associate the proxy system with a payment card issuing institution, merchant bank, or clearing network operator because they represent arbitrary example institutions that could employ such a system.

5. Claims 15-18 rejected under 35 U.S.C. 103(a) as being unpatentable over '593 in view of Boies et al., US Patent No. 6,006,200 (Hereafter referred to as '200).

6. As to claim 15:

7. '593 teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55, '593). '593 does not teach the specific methods involved in anonymous shipping including re-labeling the package while in custody of the shipping channel. '200 teaches to re-labeling the package while in custody of the shipping channel (Fig 1,'200). It would have been obvious to a person of ordinary skill in the art at the time of invention to combine the anonymous browsing/transaction method of '593 with the anonymous shipping method of '200. One of ordinary skill in the art would have been motivated to combine these inventions because '593 addresses the need to use one of the known anonymous commerce methods in conjunction with the disclosed invention.

8. As to claim 16:

9. '593 teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55, '593) including the need for a real post office address corresponding to the buyer. '593 does not teach to re-label the package while in custody of the third party destination (post office). '200 teaches to re-labeling the package while in custody of the shipping channel/post office (Fig. 1,'200). It would have been obvious to a person of

Art Unit: 2134

ordinary skill in the art at the time of invention to combine the anonymous browsing/transaction method of '593 with the anonymous shipping method of '200. One of ordinary skill in the art would have been motivated to combine these inventions because '593 addresses the need to use one of the known anonymous commerce methods in conjunction with the disclosed invention.

10. As to claim 17:

11. '593 teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55, '593) including the need for a real post office address corresponding to the buyer. Not specifically taught is to provide a receipt to the customer to retrieve their package from the third party destination. The examiner takes official notice to provide such a receipt to the customer. It would have been obvious to a person of ordinary skill in the art at the time of invention to provide a receipt containing the alias identification number to retrieve a package from the third party destination. One of ordinary skill in the art would have been motivated to a receipt containing the alias identification number to retrieve a package from the third party destination because the method of using a numbered receipt to retrieve items from an inventory is well known in the art and has long been the custom in such anonymous retrieval of items, such as in baggage storage, dry cleaning, etc.

Art Unit: 2134

12. As to claim 18, it represents a combination of previously rejected limitations corresponding to claims 16 and 17.


Allowable Subject Matter

Claim 10 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100